

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

SCOTT M. EPSTEIN,

Plaintiff,

v.

C.R. BARD, INC., FUTUREMED  
INTERVENTIONAL, INC., and  
CROSSBOW VENTURES, INC.,

Defendant.

FILED  
2003 DEC 16 P 4:45

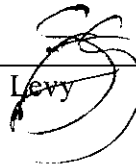
U.S. DISTRICT COURT  
DISTRICT OF MASS.  
CIVIL ACTION NO. 03CV12297(RWZ)

AFFIDAVIT OF SAMUEL D. LEVY

I, Samuel D. Levy, having been being duly sworn, state as follows under oath:

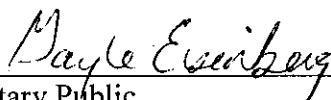
1. I practice law with the law firm of Wuersch & Gering, LLP, having its offices at 11 Hanover Square, New York, NY 10005.
2. I make this Affidavit based on personal knowledge for the purpose of obtaining admission to this Court *pro hac vice* as counsel for Defendant Crossbow Ventures, Inc. in the above-captioned case.
3. I am a member in good standing of the bar in every jurisdiction in which I have been admitted to practice, namely: the courts of the State of New York, the United States District Courts for the Southern District of New York (admitted April 1991) and the Eastern District of New York (admitted November 1993), and the Court of Appeals for the Second Circuit (admitted March 1993).
4. There are no disciplinary matters pending against me.
5. I am familiar with the Local Rules of this Court.
6. My application for leave to practice in this Court is on motion of a member of the bar of this Court.

Dated at New York, New York this 5 day of December, 2003.

  
\_\_\_\_\_  
Samuel D. Levy

STATE OF NEW YORK  
New York COUNTY, SS.

At New York, New York, this 5<sup>th</sup> day of December, 2003, Samuel D. Levy, personally appeared, gave oath to the truth of the foregoing, and he acknowledged this instrument, by his sealed and subscribed, to be his free act and deed.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

**Gayle Eisenberg**  
Notary Public, State of New York  
01E16017669  
Qualified in Kings County  
Commission Expires December 14, 2006

**Appellate Division of the Supreme Court  
of the State of New York  
First Judicial Department**

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I, Catherine O'Hagan Wolfe, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

**SAMUEL DAVID LEVY**

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on the 14th day of January, 1991 has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my  
hand and affixed the seal of this court on

November 19, 2003

Catherine O'Hagan Wolfe

Clerk


**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the Motion for Admission Pro Hac Vice and the Affidavit of Samuel D. Levy was served upon the following attorneys of record on December 16, 2003 by first-class regular mail:

Andrew Good, Esq.  
Good & Cormier  
83 Atlantic Avenue  
Boston, MA 02110

Daniel A. Wuersch, Esq.  
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11 Hanover Square, 19<sup>th</sup> Floor  
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Gary E. Lambert, Esq.  
Lambert & Associates  
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Boston, MA 02109

  
\_\_\_\_\_  
Tracie L. Svenson